

**Listing of Claims**

This listing of claims will replace all prior versions and listings of claims in the application.

Claim 1 (currently amended): A method for informing an application server whether or not a mobile subscriber is present on a mobile telecommunication network, the method comprising:

a first step for sending a first ~~distinctive~~ signal distinctive of ~~[[from]]~~ the mobile subscriber to the mobile telecommunication network, intended for the mobile subscriber;

a second step for determining a present or not present binary state according to a reaction of the mobile telecommunication network to said first signal; and

a third step for communicating to the application server the state determined in the second step;

wherein:

a first transition enabled by a reaction of the mobile telecommunication network indicating that the message is delivered, respectively a second transition enabled by an expiry of a time delay without reaction from the mobile telecommunication network, activates the second step that determines the present, respectively not present state of the mobile subscriber.

Claim 2 (canceled).

Claim 3 (currently amended): The method of claim 1 [[2]], wherein said first signal is a short message sent to the mobile telecommunication network intended for the mobile subscriber,  
the method further comprising:

positioning a data coding scheme parameter in a header of the short message at a value that has the effect of commanding the mobile receiving the message to

discard the content of the message and to deactivate a message received indication on the mobile.

Claim 4 (currently amended): The method of claim 1 [[2]], wherein the first step is activated during an activation of the second step by positioning a time delay that is a function of the present or not present state determined in the second step.

Claim 5 (previously presented): The method of claim 4, further comprising:

a step of a wait time activated when the second step determines the present state so as to activate the first step after expiry of the wait time

Claim 6 (previously presented): The method of claim 1, wherein:

said first signal consists of a telecommunication network node interrogation of the present or not present state of the mobile subscriber; and

the reaction of the mobile telecommunication network includes a response of the telecommunication network node on the present or not present state of the mobile subscriber.

Claim 7 (previously presented): The method of claim 1, wherein:

said first signal consists of a positioning of a detection point on a telecommunication network node relating to any modification of the present or not present state of the mobile subscriber; and

the reaction of the mobile telecommunication network includes a notification of the telecommunication network node relating to each modification of the present or not present state of the mobile subscriber.



In re Appln. of Anza Hormigo et al.  
Application No. 10/564,949  
Response to Office Action of October 17, 2008

the second means is arranged to determine the present state when the short message is delivered and to determine the not present state when the short message is not delivered after expiry of a preset time delay.

Claim 12 (previously presented): The system of claim 11, wherein the first means is are arranged to send said first signal at regular time intervals that depend on the present or not present state of the mobile subscriber.

Claim 13 (canceled).